

Message

From: LEE, LILY [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D6085A744F9347E6836C54C0E85B97B2-LLEE06]
Sent: 9/17/2014 7:52:00 PM
To: Kevin Vo [KVo@baaqmd.gov]
Subject: Thank you! <EOM>RE: Draft Response to concerned member of the public re BAAQMD NOV's

Lily Lee
Cleanup Project Manager
Superfund Division
U.S. Environmental Protection Agency, Region 9
75 Hawthorne St. (SFD-8-3)
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Tel: 415-947-4187, Fax: 415-947-3518
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From: Kevin Vo [mailto:KVo@baaqmd.gov]
Sent: Wednesday, September 17, 2014 9:58 AM
To: LEE, LILY
Subject: RE: Draft Response to concerned member of the public re BAAQMD NOV's

Hi Lily,

It was nice to meet you last month as well.

Your response to Mr. Aronovsky looks good and we don't have anything else to add.

Please let me know if I can be of further assistance.

Thanks,

Kevin Vo

Air Quality Specialist
Compliance and Enforcement Division
Bay Area Air Quality Management District
939 Ellis Street San Francisco, CA 94109
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kvo@baaqmd.gov

From: LEE, LILY [mailto:LEE.LILY@EPA.GOV]
Sent: Tuesday, September 16, 2014 3:03 PM
To: Kevin Vo
Subject: Draft Response to concerned member of the public re BAAQMD NOV's

Dear Kevin,

It was good to meet you last month.

I wanted to let you know that I have received multiple messages from Steve Aronovsky, a concerned member of the public.

Here is an excerpt from one of his emails.

"On line, at various websites, it has been documented

> that Lennar has already committed numerous violations of Environmental
> Law at the Hunters Point Site. Lennar also has been sued as well for
> these Environmental Violations. Lennar has not BEEN PUNISHED YET FOR
> THEIR VIOLATIONS OF ENVIRONMENTAL LAW."

I looked up your website and drafted this response, shamelessly stealing your fact sheet language:

"In addition, you wrote that you believe US EPA should take enforcement action against the Lennar Urban San Francisco developer ("Lennar"). Even though US EPA has not taken enforcement action, the Bay Area Air Quality Management District ("District") has. The District issued the following two Notices of Violation (NOVs) to Lennar alleging violations of the Asbestos Dust Mitigation Plan (ADMP): NOV#A46068, issued September 9, 2006, alleges a failure to properly conduct air monitoring for a period of time and a failure to provide a gravel truck wheel wash bed at an exit road. NOV#A46075, issued October 26, 2007, alleges the overfilling of trucks with material and a failure to maintain wheel wash beds free of accumulated material. Both NOVs were settled on August 12, 2008, without litigation, in accordance with California Health and Safety Code section 42403(b), for a civil penalty of \$515,000. Since then, the District issued a Notice to Comply to Lennar in January 2009 for inadequate track-out prevention and control. The District sends an Air Quality Inspector to conduct unannounced daily inspections at the Bayview Hunters Point neighborhood. More information is available at this link:

<http://www.baaqmd.gov/~media/Files/Compliance%20and%20Enforcement/Fact%20Sheets/Lennar%20Fact%20Sheet.ashx?la=en>."

Do you have any recommended edits to my response? I would appreciate your expert advice.

Lily Lee
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